

William A. Broscious, Esquire (VSB #27436)
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Counsel for the Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:)
)
DIGITAL INK, INC., and) **Case No. 18-30056-KLP**
CHRISTOPHER DAVID MCGINNIS,) **Chapter 7 (Jointly Administered)**
)
Debtors.)

ORDER APPROVING TRUSTEE'S REPORT AND RECOMMENDATIONS

Harry Shaia, Jr., Trustee (the “Trustee”), by counsel, on the Trustee’s Report and Recommendations [doc. no. 94] (the “Report and Recommendations”), and it appearing to the Court that the settlement proposed therein by and between the Trustee and BMST, Inc. (the “Settlement”) is reasonable, fair and equitable, and in the best interests of the creditors of the jointly administered bankruptcy estates of the debtors, Christopher David McGinnis and Digital Ink, Inc. (jointly, the “Estates”); there being no objections to the Report and Recommendations after proper and adequate notice thereof being provided; and for good cause shown it is hereby

ORDERED as follows:

1. The Report and Recommendations are **APPROVED** and **GRANTED**;
2. The Trustee be and hereby is authorized to take all reasonable steps necessary to effectuate the following allocations by and between the Estates as follows:
 - a. \$125,000 of the BMST Settlement Funds (as defined in the Report and Recommendations) shall be allocated to the estate of Digital Ink, Inc. (the “DII Estate”), and

\$75,000 of the BMST Settlement Funds be allocated to the estate of David Christopher McGinnis (the “McGinnis Estate”); and

b. The Trustee’s professional fees and expenses specifically incurred in the Adversary Proceeding (as defined in the Report and Recommendations) shall be allocated on the same percentage basis as the BMST Settlement Funds, namely 62.5% to the DII Estate and 37.5% to the McGinnis Estate, all subject to the Court’s approval following proper application and a hearing thereon;

3. The requirement under Rule 9013-1(G) to file a memorandum of law in connection with the Motion is waived; and

4. The Court shall retain jurisdiction over any and all aspects of the jointly administered cases and the allocations approved herein.

Feb 14 2020

Dated: Richmond, Virginia
_____, 2019

/s/ Keith L. Phillips

UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: Feb 18 2020

I ASK FOR THIS:

/s/ William A. Broscious
William A. Broscious (VSB #27436)
KEPLEY BROSCIOUS & BIGGS, PLC
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Counsel for the Trustee

SEEN AND NO OBJECTION:

/s/ Shannon F. Pecoraro
Shannon F. Pecoraro, Esquire (VSB #46864)
Office of the U.S. Trustee
701 East Broad Street, Suite 4304
Richmond, Virginia 23219

Office of the United States Trustee

**CERTIFICATION OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)**

I hereby certify that the foregoing proposed Order has been endorsed by or served upon all necessary parties.

/s/ William A. Broscious
Counsel

Service List

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